

## **Billings School District 2**

### **THE BOARD OF TRUSTEES**

#### **Board Meetings**

##### Notice of Meetings

The Clerk shall publish the agenda for each Board meeting on the District's website with a minimum of 48 hours' notice to the public.

In addition, the Clerk shall publish the agenda for Board meeting with a minimum of 48 hours' notice to the public as follows:

- A. If a newspaper of general circulation in the county where the District is located publishes electronic notices and links to meeting agendas free of charge to the District on the newspaper's website, the District shall provide the notice and agenda to the newspaper to post on the newspaper's website;
- B. If the District does not have an option to post notices and links to meeting agendas free of charge, the District shall provide adequate notice of a meeting by doing at least one of the following:
  - a. Posting a link to the meeting agenda on the District's primary website; or
  - b. Posting the agenda on the social media site of the District.
- C. In addition to the above noted electronic postings, the Clerk shall make a hard copy of the agenda available to the public in the Clerk's office and shall provide notice to the public on the District's website that a hard copy of the agenda is so available.

#### **Regular Meetings**

Unless otherwise specified, all meetings will take place in the board room of the Lincoln Center. Regular meetings shall take place at 5:30 p.m. on the third (3rd) Monday of each month, or at other times and places determined by a majority vote. The regular meetings in January and February shall be held on the fourth (4<sup>th</sup>) Monday. When any other meeting date falls on a legal holiday, the meeting may take place the next business day, or at other time and place determined by a majority vote.

Except for an unforeseen emergency, meetings must occur in a district building or, upon unanimous vote of the trustees, in a publicly accessible building located within the District. If regular meetings are scheduled at places other than as stated above or are adjourned to times other than a regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. The Trustees may meet outside the boundaries of the District for collaboration or cooperation on educational issues with other school boards, educational agencies, or cooperatives. Adequate notice of the meeting, as well as an agenda, must be provided to the public in advance. Decision making may only occur at a properly noticed meeting held within the District's boundaries. When a meeting date falls on a legal holiday, the meeting may take place the next business day.

### **Emergency Meetings**

In the event of an unforeseen emergency the Board may meet immediately and take official action without prior notification. For the purposes this policy, unforeseen emergency means a storm, fire, explosion, community disaster, insurrection, act of God, or other unforeseen destruction or impairment of school district property that affects the health and safety of the trustees, students, or district employees or the educational functions of the district.

### **Budget Meetings**

Between July 1 and August 10 of each year, the Clerk shall publish a notice stating the date, time, and place trustees will meet for the purpose of considering and adopting a final budget for the District, stating that the meeting of the trustees may be continued from day to day until final adoption of a District budget and stating that any taxpayer in the District may appear at the meeting and be heard for or against any part of the budget. This notice shall be published in a newspaper of general circulation in the Billings area.

On the date and at the time and place stated in the published notice (on or before August 20), trustees shall meet to consider all budget information and any attachments required by law. The meeting may continue from day to day; however, the Board must adopt a final budget not later than August 25.

### **Special Meetings**

Special meetings may be called by the Chair or by any two (2) trustees. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to every trustee not less than forty-eight (48) hours before the time of the meeting, except that the forty-eight (48) hour notice is waived in an unforeseen emergency as stated in §20-3-322(5), MCA. Such written notice shall be posted conspicuously within the District in a manner that will receive public attention. Written notice also shall be sent not less than twenty-four (24) hours prior to the meeting to each newspaper and radio or television station that has filed a written request for such notices. Business transacted at a special meeting will be limited to that stated in the notice of the meeting.

### **Closed Sessions**

Under Montana law, the Board may meet in closed sessions to consider matters involving individual rights of privacy or to discuss litigation strategy. Before closing a meeting, the presiding officer must determine and publicly state that the demands of individual privacy exceed the merits of public disclosure or that the Board chooses to recess to closed session to discuss litigation strategy in a particular matter. This exception does not apply if the litigation involves only public bodies or associations as parties. Before closing a meeting for a litigation purpose, the District may wish to consult legal counsel on the appropriateness of this action. No formal action shall take place during any closed session.

Trustees, or small groups of trustees, shall not engage in litigation strategy sessions or meet with contracted legal counsel outside of an official Board meeting except with the full Board's knowledge.

Cross References:        1420                    Board Agendas, etc.  
                                     1441                    Audience Participation

Legal References:

§ 2-3-103, MCA	Public participation – governor to insure guidelines
§ 2-3-104, MCA	Requirements for compliance with notice provisions
§ 2-3-105, MCA	Supplemental notice by radio or television
§ 2-3-201, MCA	Legislative intent – liberal construction
§ 2-3-202, MCA	Meeting defined
§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
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§ 20-3-322, MCA	Meeting and quorum
§ 20-9-115 MCA	Notice of final budget meeting
§ 20-9-131, MCA	Final budget meeting
10.55.701, ARM	Board of Trustees

Policy History:

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